

REMARKS

Claims 1-21 are pending in this application. Applicant requests further consideration and examination in view of the following remarks.

Rejection Under 35 U.S.C. § 102(e) (Leck)

Claims 1, 2, 4, 5, 8, 9, 16, 19, 20 and 21 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,259,816 to Kato (hereinafter "Kato").

It is well settled that to anticipate a claim, the reference must teach every element of the claim, see M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim," see M.P.E.P. § 2131, citing *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim," see M.P.E.P. § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989). Applicant respectfully asserts that the rejection does not satisfy these requirements.

Claim 1 requires a motion sensor for detecting movement of said device. Kato does not describe this limitations. The Examiner has pointed to element 15 of Figures 1 and 7 as being a motion sensor as required by claim 1. Applicant respectfully disagrees with the Examiner's characterization of Kato. Kato describes a system that uses motion information to provide motion compensation in a video compression algorithm. Abstract. Kato does not sense motion in its camera platform, but instead receives a user request at platform attitude controller 15 which takes the request and moves the camera accordingly. Column 4, lines 3-8.

This request or instruction to the camera platform is passed by the platform attitude controller 15 to the search area controller 14 where the motion vectors are calculated. Kato does not disclose sensing motion, but instead describes receiving instructions for moving a platform. Kato therefore does not describe a motion sensor for detecting movement of the imaging device as required by claim 1. Applicant respectfully asserts claim 1 is not anticipated by the that the rejection of record and is in condition for allowance.

Claim 8 requires receiving motion information related to a movement of an image capturing device from at least one motion sensor. Claim 16 requires means for detecting motion of a system, the system including a means for generating video images. Claim 21 requires detecting motion of an imaging device.

For the reasons described with respect to Claim 1, Kato does not describe the limitations set forth above. Applicant respectfully asserts that claims 8, 16 and 21 are allowable over the rejection of record.

Claims 2, 4, 5, 9, 19 and 20 depend from one of claims 1, 8 or 16 and inherit all the limitations of their respective base claim. Claims 2, 4, 5, 8, 9, 16, 19 and 20 are therefore allowable over the rejection of record.

Rejection Under 35 U.S.C. § 103 Kato, Kato in view of Lee, Kato in view of Allen

Claims 6 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato. Claims 3, 10-13, 17 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato in view of U.S. Patent Application Publication No. 2003/0058347 to Lee (hereinafter “Lee”). Claims 14 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kato in view of U.S. Patent No. 5,430,480 to Allen et al. (hereinafter “Allen”).

Claims 3, 6, 7, 10-15, 17 and 18 depend from one of claims 1, 8 or 16 and inherit all the limitations of their respective base claim. Claims 3, 6, 7, 10-15, 17 and 18 are therefore allowable over the rejection of record.

Conclusion

Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 08-2025, under Order No. 200315990-1 from which the undersigned is authorized to draw.

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Respectfully submitted,

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